

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MARITTE FUNCHES.)	3:11-cv-00795-RCJ-WGC
)	
Plaintiff,)	<u>MINUTES OF THE COURT</u>
)	
vs.)	October 15, 2012
)	
RICK RIMINGTON, <i>et al.</i> ,)	
)	
Defendants.)	
)	

PRESENT: THE HONORABLE WILLIAM G. COBB, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: KATIE LYNN OGDEN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Before the court is plaintiff’s “Motion to Vacate Order.” (Doc. # 27.) Therein, plaintiff seeks the court to vacate its order granting the defendants an enlargement of time to file a dispositive motion (Doc. #25). His rationale for such is that defendants filed two motions, yet he only received one.¹ Plaintiff also contends defendants failed to follow Fed. R. Civ. P. 5(A)(1)(d) and L.R. 7-2(a), by not serving the motion on him. However, the certificate of service attached to each of Defendants’ motions reflect service upon the Plaintiff.

Plaintiff also states the order should be vacated because he did not have an opportunity to respond to it. Defendants’ motion for enlargement, however, was granted in accordance with Fed. R. Civ. P. 6(b)(1)(A), which provides that the court may extend the time for good cause “with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires” The court found good cause existed for an extension.

Plaintiff's motion (Doc. # 27) is therefore **DENIED**.

IT IS SO ORDERED.

LANCE S. WILSON, CLERK

By: /s/
Deputy Clerk

¹ As noted in the court's order (Doc. # 25) the Defendants' two motions were identical except for formatting changes.